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HIGH COURT OF JUDICATURE AT BILASPUR : CHHATTISGARH

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, C.J.

WRIT PETITION NO. 4705 of 2006.

PETITIONER	:	Rohit Kumar @ Chaitram, S/o. Dilip Singh, aged about – 38 years. Caste: Agharia R/o: Village: Dhangaon Tehsil: Sarangarh, Distt.: Raigarh (C.G.)
	Versus	
RESPONDENT	:	Tikeshwari Patel @ Basant W/o. Rohit Kumar aged about – 35 years. At Present R/o: Village: Bar, Post: Bar P.S. Saria, Tehsil: Sarangarh, Distt.: Raigarh (C.G.)

Present: Shri N.K. Chatterjee, counsel for the petitioner

(ORAL ORDER)
(Passed on 30th August, 2006)

This writ petition arises out of interim maintenance granted by the learned family judge. The learned family judge by the impugned order passed under Section 24 of the Hindu Marriage Act has awarded Rs.3,000/- (Rupees Three Thousand only) towards litigation expenses and Rs.1,000/- (Rupees One Thousand Only) per month towards maintenance from the date of filing of the application under Section 24 of the Hindu Marriage Act.

(2) The only submission of learned counsel for the petitioner-husband is that the petitioner himself is an agricultural coolie and he has to work out his livelihood by labour, and he has no other means and that he is not in a position to pay any maintenance to the wife. That is the only submission made by learned counsel for the petitioner. The marriage between the parties is not disputed. It is also not the case of the petitioner that the respondent-wife has any other source of income to support her

life. If this is the admitted position, I cannot take any objection to the impugned order made by the learned family judge awarding monthly maintenance at the rate of Rs.1,000/- (Rupees One Thousand only). A sum of Rs.1,000/- (Rupees One Thousand only) in the present time and place is most minimal to support a human life. The writ petition is, therefore, dismissed. No costs.

Sd/-
Chief Justice

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